

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

JOHN B. ADRAIN

vs.

VIGILANT VIDEO, INC., ET AL.

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CASE NO. 2:10-CV-173-TJW-CE

ORDER

Pending before the Court is the plaintiff John B. Adrain's ("Adrain") motion to quash, which urges the Court to quash defendant Vigilant Video, Inc.'s ("Vigilant") notice of deposition of Eliot Gerber because Vigilant did not comply with this Court's order (Dkt. No. 27). On October 13, 2010, this Court ordered Vigilant to make a full and complete disclosure of Mr. Gerber's supposed knowledge of the issues presented in this case by 5:00 p.m. on Friday, October 15, 2010 so as to facilitate the deposition of Mr. Gerber on Wednesday, October 20, 2010 (Dkt. No. 26). However, Vigilant failed to make the ordered disclosure and instead produced numerous documents without any disclosure as to their significance in this case. Considering that Vigilant failed to comply with this Court's order, the Court GRANTS Adrain's motion to quash.

SIGNED this 19th day of October, 2010.


CHARLES EVERINGHAM IV
UNITED STATES MAGISTRATE JUDGE